

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

YADKIN RIVERKEEPER, INC., AND)
WATERKEEPER ALLIANCE, INC.,)
)
Plaintiffs,)
)
v.)
)
DUKE ENERGY CAROLINAS, LLC,)
)
Defendant.)
_____)

EXHIBIT 6
TO
COMPLAINT

DECLARATION OF TYSON G. BEAVER

County of Rowan,)
)
State of North Carolina)

I, Tyson Granville Beaver, declare and state the following:


1. I have personal knowledge of the matters stated herein. I am over the age of 18 and suffer from no legal incapacity. I submit this declaration to establish the standing of Waterkeeper Alliance Inc. ("WKA") to maintain this action.
2. I have been a member of WKA since July 18, 2014. WKA advocates for the protection of waterways around the world, including the Yadkin River and its tributaries and watershed, in order to improve and maintain the environmental integrity of these waterways. WKA's mission includes empowering the citizens of the Yadkin River watershed to protect the water resources they depend on for drinking water, recreation, and other valuable uses.
3. I currently reside with my daughter at 770 Leonard Road, in the community known as Dukeville in Salisbury, North Carolina. I have lived at this location since around 1980. Prior to moving into my current residence, I resided in the house next door ever since my wife and I first moved to Dukeville around 1959.
4. I am aware that Duke Energy stores a large amount of coal ash on-site at its Buck Steam Station ("Buck") in Dukeville, and that coal ash contains high concentrations of harmful pollutants such as chromium, lead, and manganese, among others (collectively, "coal ash pollutants"). I am aware that chromium is a known carcinogen that is especially toxic when it occurs as chromium-VI, otherwise known as hexavalent chromium. I understand that lead and manganese are neurotoxins that can cause serious developmental disorders and other negative health effects.
5. I understand that Duke Energy stores coal ash at Buck in surface impoundments (the "Ash Ponds") that have no impermeable liners to prevent the harmful coal ash pollutants from leaking out the Ash Ponds and into nearby ground and surface waters.
6. My daughter and I live in a house that is situated approximately 400 feet south of the nearest Ash Pond. A well on my property, located approximately 475 feet from the

closest Ash Pond, supplies drinking water to my house and to two other houses located adjacent to mine, where my grandson and his stepdaughter live.

7. I understand that Duke Energy's own groundwater monitoring has detected the presence of harmful pollutants found in coal ash in ground water around Buck, including chromium, barium, iron, and manganese in the groundwater monitoring well that is located about 300 feet away from the well at my house. I also understand that since 2010, Duke Energy has reported at least two exceedances of the North Carolina groundwater standard for iron with respect to the groundwater monitoring well located nearest my house, in addition to many more exceedances at other groundwater monitoring wells around the perimeter of the Buck facility.
8. Water samples collected from the well on my property, taken in April and May of 2014, were found to contain the following coal ash pollutants: aluminum, hexavalent chromium, barium, copper, iron, lead, and manganese.
9. When I learned of the presence of harmful coal ash pollutants in my well, I immediately became very concerned for my own health and for that of my family members who have drunk water from my well. Before I learned of the contaminants in my well water, I regularly drank the water from the tap and used it for cooking. Because of my concern that my well has been contaminated by pollution from Duke Energy's coal ash ponds, my daughter and I no longer drink the water from my well or use it for cooking. We buy bottled water for these purposes now. I continue to bathe in water that comes from my well, because I have no other means of doing so. I worry that contacting the water from my well may be harmful to my health, but I do not feel I have a choice.
10. I am extremely troubled to know that Duke Energy is illegally discharging dangerous amounts of pollution—including known carcinogens—into the Yadkin River and the ground water near my house at Buck. Because of Duke Energy's illegal pollution from its coal ash ponds, I worry for my own wellbeing and for that of my family.
11. I am especially concerned about the serious health risks associated with the pollutants Duke Energy is discharging, since for years my family and I consumed water that may have contained dangerous contaminants. Since being informed of this pollution, we can no longer consume water from our faucets without worrying about exposing ourselves to serious health risks from Duke Energy's illegal pollution.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on August 31, 14.

A handwritten signature in dark ink, appearing to read "Tyson G. Beaver", is written over a horizontal line.

Tyson G. Beaver